

REMARKS

Applicant respectfully requests favorable reconsideration of the application in light of the following remarks.

In this reply, Applicant adds new claims 15-23, which find non-limiting support at least in Figs. 1A, 1B, 2, and 3 of the originally-filed application. Claims 1-4, 6, and 9-23 are thus currently pending. No new matter has been added.

Applicant respectfully requests favorable reconsideration of the rejection of claims 1-4, 6, 9-14 under 35 U.S.C. § 103(a) as being unpatentable over Hoshiba (U.S. Design Patent No. D505,396) for the reasons set forth below.

Claim 1 is directed to an optoelectronic component and recites, *inter alia*, “an electrically conductive frame to form a base . . . wherein the base protrudes from a middle portion to a bottom surface and two other side surfaces of the optoelectronic component.” Claim 10 is also directed to an optoelectronic component and recites, *inter alia*, “an electrically conductive frame to form a base . . . wherein the electrically conductive frame protrudes from a middle portion to two other side surfaces of the housing.”

Hoshiba discloses an ornamental design for a light emitting diode. Hoshiba’s design consists of an octagonal structure having a bottom and eight sides. On six of these sides are arranged six identical elements, referred to in the Office Action as “leads,” that are bent at a right angle to “wrap around” from the side to the bottom.

Applicant submits that none of Hoshiba’s bent elements “*protrudes from a middle portion* to a bottom surface and two other side surfaces,” as recited in independent claims 1 and 10. Hoshiba’s bent elements merely appear to be affixed onto the bottom and side (see Fig. 1, in particular, and note, for example, that none of the figures has

any dotted lines emanating from them that could suggest the bent elements are protrusions from a middle portion).

Hoshiba's Fig. 3 appears to show an aperture at the center of the bottom of the design, but even if that aperture were somehow linked to a middle portion, which Applicant denies, nothing protrudes near the center of the bottom (see Fig. 1) and nothing connects the aperture, or whatever that structure may be, to the bent elements (see Fig. 3) so that the bottom of the design has no protrusion from a middle portion.

Applicant further submits that Hoshiba merely discloses a design and does not disclose the constituents or function of the bent elements, which could be purely mechanical or esthetic in nature. In particular, Hoshiba fails to teach or suggest any surface mount technology and does not disclose elements being used "to provide heat dissipation" while others provide "external mounting connection terminals," as recited in independent claims 1 and 10.

Therefore, Applicant submits that Hoshiba fails to teach or suggest all the features of independent claims 1 and 10. Accordingly, Applicant respectfully requests favorable reconsideration of the rejection of claims 1-4, 6, and 9-14 as being unpatentable over Hoshiba.

Finally, Applicant adds new claims 15-23 to vary the scope of protection recited in the claims. Claims 15-23 all depend, directly or indirectly, from claim 1 or claim 10. Therefore, Applicant submits that claims 15-23 are allowable for the reasons set forth above. In addition, Applicant submits that the features of claims 15-23 distinguish even further over Hoshiba and that claims 15-23 are also allowable on this basis.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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